

Message Text

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ACTION EB-07

INFO OCT-01 EUR-12 IO-13 ISO-00 AGRE-00 CEA-01 CIAE-00

COME-00 DODE-00 FRB-03 H-01 INR-07 INT-05 L-03

LAB-04 NSAE-00 NSC-05 PA-01 EPG-02 AID-05 SS-15

STR-04 ITC-01 TRSE-00 USIA-06 PRS-01 SP-02 OMB-01

FEA-01 AF-10 ARA-06 EA-07 NEA-10 STRE-00 /134 W

-----110651Z 113785 /17

R 101159Z MAY 77

FM USMISSION GENEVA

TO SECSTATE WASHDC 7206

USMISSION EC BRUSSELS

INFO ALL EC CAPS

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PASS STR AND AGRICULTURE ELECTRONICALLY

EO 11652: NA

TAGS: ETRD, GATT, EAGR, EEC

SUBJ: GATT PANEL ON EC NFDN COMPULSORY PURCHASE SCHEME

REF: GENEVA 3532

1. ADDRESSEES ARE UNDOUBTEDLY AWARE OF THE FACT THAT THE EC'S NFDN MIXING REGULATION IS NOT ONLY BEFORE A GATT PANEL BUT ALSO BEFORE THE EUROPEAN COURT IN LUXEMBOURG ON THE GROUNDS THAT THIS REGULATION IS INCOMPATIBLE WITH THE PRINCIPLES OF THE CAP. THUS, UNLIKE THE ALLEGATION MADE IN SOME QUARTERS THAT THE U.S. GATT ACTION REPRESENTS AN ATTACK ON THE CAP, THE EC PLAINTIFFS (PRIMARILY LIVE-STOCK PRODUCERS AND FEED COMPOUNDERS) CONTEND THAT THE EC COMMISSION AND COUNCIL HAVE VIOLATED THE PRINCIPLES OF THE CAP BY ESTABLISHING THE COMPULSORY NFDN PURCHASE SCHEME.

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2. WE UNDELFTAND THAT THE ORAL ARGUMENT BEFORE THE LUXEMBOURG COURT HAS BEEN CONCLUDED AND THAT THE COURT MAY PASS A JUDGMENT ON THIS CASE BEFORE THE END OF JUNE.

3. IT IS LIKELY THAT THE GATT PANEL, WHILE JUDGING THE CASE FROM QUITE A DIFFERENT LEGAL POINT OF VIEW,

WILL NEVERTHELESS BE INFLUENCED BY THE ACTION OF THE
LUXEMBOURG COURT.

4. MISSION WOULD APPRECIATE IF USEC COULD CONFIRM
THE REPORTED TIME SCHEDULE OF THE LUXEMBOURG COURT
AND PROVIDE US WITH DETAILS ON THE COURT PROCEEDINGS.
SORENSEN

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: POLICIES, GOVERNMENT PROCUREMENT, COMMITTEE MEETINGS, NONFAT DRIED MILK
Control Number: n/a
Copy: SINGLE
Sent Date: 10-May-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977GENEVA03561
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770165-0433
Format: TEL
From: GENEVA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770575/aaaacnad.tel
Line Count: 69
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
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Office: ACTION EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 77 GENEVA 3532
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 03-Mar-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2587049
Secure: OPEN
Status: NATIVE
Subject: GATT PANEL ON EC NFDM COMPULSORY PURCHASE SCHEME
TAGS: ETRD, EAGR, GATT, EEC
To: STATE EC BRUSSELS
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/0955c397-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009